

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRAD HARBISON, as Independent
Administrator of the Estate of Danielle
Renee Harbison,; and BRAD HARBISON,
as next friend of minor children Wes
Harbison and Molly Harbison;

Plaintiffs,

vs.

COUNTY OF SARPY, Nebraska, a political
subdivision of the State of Nebraska;
SARPY COUNTY SHERIFF'S OFFICE, an
Agency of the County of Sarpy; JEFF
DAVIS, Sheriff; CITY OF BELLEVUE, a
municipal corporation and political
subdivision of the State of Nebraska;
BELLEVUE POLICE DEPARTMENT, an
agency of the City of Bellevue; MARK
ELBERT, Police Chief; BELLEVUE FIRE
DEPARTMENT, an agency of the City of
Bellevue; PERRY GUIDO, Fire Chief;
JOHN DOES 1 - 16, JOHN DOES 13 AND
14, MARK TOPIL, MARK SHILLER,
ALLYSA RANGE, TIMOTHY KENDALL,
CODY KRUSE, DANIEL POTMESIL,
REECE POST, AARON JONES, AARON
JEZEK, MATT MCGINN, ERIN
MCCORMICK, JASON WEBER, MARK
ARMSTRONG, ERIC MIXAN, and KEITH
SANDERS,

Defendants.

8:20CV245

ORDER

This matter is before the court on a motion to dismiss filed by defendants City of Bellevue, Bellevue Police Department, Mark Elbert, Bellevue Fire Department, and Perry Guido, Filing No. 33. That motion has been rendered moot by the filing of an amended complaint. See Filing No. 39, Amended Complaint. Accordingly,

IT IS ORDERED that:

1. Defendants City of Bellevue, Bellevue Police Department, Mark Elbert, Bellevue Fire Department, and Perry Guido's motion to dismiss (Filing No. 33) is denied as moot.

Dated this 28th day of September, 2020.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge